



**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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Matthew Whittington,

Plaintiff,

16 **CIVIL** 1152 (AJN)

-against-

JUDGMENT

Commissioner Joseph Ponte, et al.,
Defendants.
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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Opinion and Order dated May 27, 2020, the Court has considered the remainder of Whittington's claims and arguments and finds them to be without merit. See, e.g., LV Compl. at 1 (alleging, in a conclusory manner, "6th amendment violations" but providing no facts or legal argumentation supporting that theory). The Court also declines to consider the claims Plaintiff raises for the first time in his Opposition Brief to Defendants motion, given that he was provided four opportunities to amend his complaint. See Pl. Br. at 2. Therefore, defendants' motion for summary judgment is GRANTED. The Court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that any appeal from the Order would not be taken in good faith, and in forma pauperis status is thus denied. See *Coppedge v. United States*, 369 U.S. 438, 444-45 (1962); accordingly, the case is closed.

Dated: New York, New York
May 28, 2020

RUBY J. KRAJICK

Clerk of Court

BY:

Kmango

Deputy Clerk